

COMBINED DECLARATION AND  
POWER OF ATTORNEY  
IN ORIGINAL APPLICATION

Attorney Docket No.

S13.12-0019

SPECIFICATION AND INVENTORSHIP IDENTIFICATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed, and for which a patent is sought, on the invention entitled DISTAL PROTECTION DEVICE AND METHOD the specification of which,

(check one)  is attached hereto.

was filed on October 3, 1997 as Appln. Serial No. 08/943,358.  
 and was amended on .  
 was described and claimed in PCT International Application No. filed on and as amended under PCT Article 19 on .

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

PRIORITY CLAIM (35 USC § 119)

I claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Number	Country	Day/Month/Year Filed	Priority Claimed
_____	_____	_____	Yes _____ No _____
_____	_____	_____	Yes _____ No _____

PRIORITY CLAIM (35 USC § 120)

I claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below. Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code § 112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in Title 37 Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Appln. Ser. No.	U.S. Serial No. (if any under PCT)	Filing Date	Status
<u>08/810,825</u>		<u>March 6, 1997</u>	<u>Pending</u>
<u>08/813,794</u>		<u>March 6, 1997</u>	<u>Pending</u>

**DECLARATION**

I declare that all statements made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY**

I appoint the following attorneys and agents to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution and revocation: Judson K. Champlin, Reg. No. 34,797; Joseph R. Kelly, Reg. No. 34,847; Nickolas E. Westman, Reg. No. 20,147; Steven M. Koehler, Reg. No. 36,188; David D. Brush, Reg. No. 34,557; John D. Veldhuis-Kroeze, Reg. No. 38,354; Deirdre Megley Kvale, Reg. No. 35,612; Theodore M. Magee, Reg. No. 39,758; Robert E. Atkinson, Reg. No. 36,433; Luke R. Dohmen, Reg. No. 36,783; Peter J. Gafner, Reg. No. 36,517; and John A. Rissman, Reg. No. 33,764.

I ratify all prior actions taken by Westman, Champlin & Kelly, P.A. or the attorneys and agents mentioned above in connection with the prosecution of the above-mentioned patent application.

**DESIGNATION OF CORRESPONDENCE ADDRESS**

Please address all correspondence and telephone calls to Joseph R. Kelly in care of:

WESTMAN, CHAMPLIN & KELLY, P.A.  
Suite 1600 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312

Inventor: John M.K. Daniel  
(Signature)

Date: March 10, 1998

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(Printed Name)

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Inventor: John Bunn  
(Signature)

Date: 3/10/98

Inventor: Thomas E. Broome  
(Printed Name)

Residence: Hopkins, Minnesota Citizenship: U.S.A.

P.O. Address: 511 Sunnyside Lane, Hopkins, MN 55343

Inventor: John Holt  
(Signature)

Date: 3/10/98

Inventor: David J. Holtan  
(Printed Name)

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Inventor: Robert L. Cassell  
(Signature)

Date: 3/10/98

Inventor: Robert L. Cassell  
(Printed Name)

Residence: Otsego, Minnesota Citizenship: U.S.A.

P.O. Address: 14398 - 91st Street NE, Otsego, Minnesota 55330

Inventor: Daniel O. Adams  
(Signature)

Date: 3/12/98

Inventor: Daniel O. Adams  
(Printed Name)

Residence: Orono, Minnesota Citizenship: U.S.A.

P.O. Address: 1145 - Tonkawa Road South, Orono, Minnesota 55356

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of: Daniel et al.**

Serial No.: 08/943,358

Examiner: Lewis, W.

Filed: October 3, 1997

Group Art Unit: 3731

For: DISTAL PROTECTION DEVICE AND METHOD

Docket No.: 1001.1351102

**REVOCATION OF PRIOR POWERS OF ATTORNEY  
AND POWER OF ATTORNEY**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES  
POSTAL SERVICE AS FIRST CLASS MAIL IN AN  
ENVELOPE ADDRESSED TO: ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, D.C.  
20231. 1 166

2nd DAY OF April, 1991  
Mr. T. S. Gray

Dear Sir:

SciMed Life Systems, Inc., the owner of the entire right, title and interest in and to the above-identified patent/application, hereby revokes all previous powers of attorney and appoints the following attorneys and/or agents to prosecute the above-identified patent or application, including all continuations and divisionals thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: David M. Crompton, Reg. No. 36,772; Glenn M. Seager, Reg. No. 36,926; Brian N. Tufte, Reg. No. 38,638; Craig F. Taylor, Reg. No. 40,199; Robert E. Atkinson, Reg. No. 36,433; Allen W. Groenke, Reg. No. 42,608; Luke Dohmen, Reg. No. 36,783; Peter J. Gafner, Reg. No. 36,517; Robert M. Rauker, Reg. No. 40,782; Todd P. Messal, Reg. No. 42,883; David L. Cavanaugh, Reg. No. 36,476; Patricia LaMarche-Davis, Reg. No. 37,866; Mark J. Casey, Reg. No. 37,796; and William J. Shaw, Reg. No. 43,111.

Pursuant to 37 C.F.R. § 3.73(b), SciMed Life Systems, Inc., a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment, recorded on March 24, 1998, at Reel 9053, Frame 0830.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee by virtue of the attached Limited Authorization to Act on Behalf of Assignee Regarding Certain Patent Matters.

Address all telephone calls to Glenn M. Seager at telephone number (612) 677-9050.

Address all correspondence to Glenn M. Seager, CROMPTON, SEAGER & TUFTE, LLC, 331 Second Avenue South, Suite 895, Minneapolis, Minnesota 55401-2246.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

SCIMED LIFE SYSTEMS, INC.

Date: 7/27/99

By: Peter J. Capre

LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE  
REGARDING CERTAIN PATENT MATTERS  
EFFECTIVE THROUGH: December 31, 1999

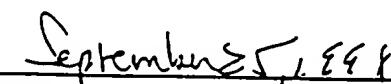
I, Paul W. Sandman, as Senior Vice President, Secretary, and General Counsel of Boston Scientific Corporation, the controlling corporation of:

SCIMED Life Systems, Inc., Boston Scientific Corporation Northwest Technology Center, Inc.; Symbiosis Corporation; Meadow Medicals, Inc.; E.P. Technologies, Inc.; Cardiovascular Imaging Systems, Inc.; BSC Technology, Inc.; Boston Scientific Technology, Inc.; SCIMED Technology, Inc.; Meadow Technology, Inc.; Boston Scientific, Limited; Boston Scientific Ireland, Limited; Corvita Corporation; Cardiovascular Innovations Canada, Inc.; Corvita Europe S.A.; Corvita Canada, Inc.; Laboratoires Corvita S.A.R.L.; Schneider (Europe) GmbH; Nilo Holding S.A.; AMS Medinvent S.A.; Schneider Belgium NV; Shiley Ltd.; Schneider Holland BV; Schneider (USA), Inc.; Schneider/NAMIC; Schneider Puerto Rico; NAMIC Eireann Limited; NAMIC International, Inc.; and Schneider Ireland BV,

hereby authorize the following registered patent attorneys/agents (1) to act on behalf of any of the corporations identified above with regard to matters pending before the United States Patent and Trademark Office and (2) to execute power of attorney documents on behalf of any of the corporations identified above to appoint and/or establish any attorneys, agents, and/or law firms to act on behalf of any of the corporations identified above in any foreign or international patent applications filed with any foreign and/or international patent offices:

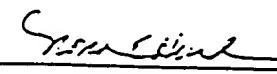
Mark J. Casey .....	Reg. No. 37,796
David L. Cavanaugh .....	Reg. No. 36,476
Luke R. Dohmen .....	Reg. No. 36,783
Peter J. Gafner .....	Reg. No. 36,517
Patricia LaMarche-Davis .....	Reg. No. 37,866
(Also known as Patricia Davis or Patricia A. Davis)	
Todd P. Messal .....	Reg. No. 42,883
Robert M. Rauker .....	Reg. No. 40,782
William J. Shaw .....	Reg. No. 43,111

  
Paul W. Sandman  
Senior Vice President, Secretary, and General Counsel

  
Date

COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF MIDDLESEX ) ss.

On this 25<sup>th</sup> day of September, 1999 before me personally appeared Paul W. Sandman to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes set forth herein.

  
Notary Public

NONA E. HURD  
NOTARY PUBLIC  
My Commission Expires Oct. 4, 2002